

# Sector 3  
PATENT  
Docket No.: 10694/6

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : CHARLES T. FERGUSON et al.  
Serial No. : 09/288,229  
Filed : April 8, 1999  
For : SYSTEM AND METHOD FOR ALWAYS ON  
VIRTUAL CONNECTIVITY IN A WIRELESS  
SYSTEM  
Group Art Unit : 2731  
Examiner : Unassigned

Box Missing Parts  
ASSISTANT COMMISSIONER  
FOR PATENTS  
Washington, DC 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION**

SIR:

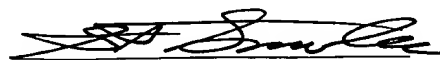
In response to the Notice to File Missing Parts of Application mailed May 13, 1999, submitted herewith is a Declaration. Also enclosed is a copy of the Notice to File Missing Parts.

Please charge Deposit Account No. 11-0600 in the amount of \$65.00 for the small entity late fee for the Declaration.

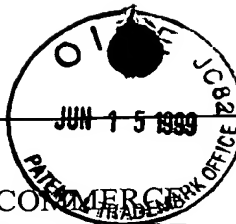
Respectfully submitted,

KENYON & KENYON

Dated: June 15, 1999

  
Stuart D. Smolen  
Reg. No. 42,161

KENYON & KENYON  
1500 K Street, N.W., Suite 700  
Washington, DC 20005  
(202) 220-4200



U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

**TRANSMITTAL OF SMALL ENTITY  
STATEMENT AND REQUEST FOR  
REFUND**

Docket Number:  
10694/1

Application Number  
09/288,229

Filing Date  
April 8, 1999

Examiner  
Unassigned

Art Unit  
2731

Invention Title  
SYSTEM AND METHOD FOR ALWAYS ON  
VIRTUAL CONNECTIVITY IN A WIRELESS  
SYSTEM

Inventors  
CHARLES T. FERGUSON et al.

Address to:  
Assistant Commissioner for Patents  
Washington D.C. 20231

Sir:

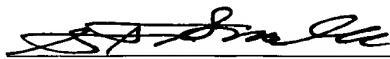
Enclosed is a Verified Statements Claiming Small Entity Status from Tantivy Communications, Inc., 2200 Front Street, Suite 3000, Melbourne, Florida 32901, for the above-referenced patent application.

Pursuant to 37 C.F.R. 1.28(a) and 1.26, Applicants request a refund of \$632.00 which is the excess amount of the filing fee timely paid prior to establishing Small Entity Status. The refund should be credited to Deposit Account No. 11-0600. A duplicate of this letter is enclosed.

Respectfully submitted,

KENYON & KENYON

Dated: June 15, 1999

  
Stuart D. Smolen  
Reg. No. 42,161

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**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

#2

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
050288,229	04/08/99	FERGUSON	C 10694/6
0292/0513			
KENYON & KENYON 1025 CONNECTICUT AVENUE N W SUITE 600 WASHINGTON DC 20036			NOT ASSIGNED
DATE MAILED: 2731			

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

05/13/99

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.00.

- ☐ 1. The statutory basic filing fee is:
- ☐ missing.
  - ☐ insufficient.
- Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- ☐ 2. The following additional claims fees are due:
- \$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.
  - \$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.
  - \$ \_\_\_\_\_ for multiple dependent claim surcharge.
- Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.
- ☒ 3. The oath or declaration:
- ☒ is missing or unsigned.
  - ☐ does not cover the newly submitted items.
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).
- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
- ☐ 8. The application was filed in a language other than English.
- Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

HARRISON T-6

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

06/16/1999 SSANBARA 0000022 115600  
65.00 CH  
01 FC:205  
U.S. GPO: 1998-446-824